

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LABORERS' LOCAL UNION NOS. 472 &
172 and LABORERS' LOCAL UNION NOS.
472 & 172 WELFARE AND PENSION
FUNDS AND SAFETY, EDUCATION AND
TRAINING FUNDS; ZAZZALI, FAGELLA,
NOWAK, KLEINBAUM & FRIEDMAN,
P.C.,

Petitioners,

v.

HAULING SOLUTIONS, LLC,

Respondent.

Civil Action No. 22-2978 (MAS) (DEA)

MEMORANDUM ORDER

This matter comes before the Court on Petitioners Laborers' Local Union Nos. 472 & 172 and Laborers' Local Union Nos. 472 & 172 Welfare and Pension Funds and Safety, Education, and Training Funds ("Laborers' Union") and Zazzali, Fagella, Nowak, Kleinbaum & Friedman P.C.'s ("Zazzali P.C.," and collectively with Laborers' Union, "Petitioners") Petition to Confirm Arbitration Award ("Petition") (ECF No. 1) and Motion to Confirm Arbitration Award ("Motion") (ECF No. 2). Hauling Solutions, LLC ("Respondent") has not appeared in this action.

The Certification of Service submitted in support of the Petition and Motion indicates that Petitioners served Respondent at "1467 Lamberton Road, Hamilton Twp, NJ 08611." (Certification of Service *2, ECF No. 2-1.)¹ The "true and accurate copy of the signature page" for Respondent, however, sets forth the address of "P.O. Box 3113, Kearny, N.J. 07032." (Pet.

¹ Pin-cites preceded by an asterisk refer to the page numbers in the CM/ECF header.

¶ 2, ECF No. 1 at *1; Pet. Ex. B, ECF No. 1 at *24.) Neither the Petition nor the Motion accounts for the discrepancy in Respondent's address. Petitioners' Certification of Service submitted in support of the Petition and Motion also indicates that Petitioners served James Prusinowski, Esq., "Attorney for Hauling Solutions, LLC." It is not clear to the Court, however, why "Attorney for Hauling Solutions, LLC" is in quotation marks or whether Mr. Prusinowski accepted service on behalf of Respondent. Finally, Petitioners indicated that they did not file a brief in support of the Petition "in light of the simple facts of this case and the clear authority of this Court to confirm arbitration awards." (Pet. ¶ 6.)

Here, based on the discrepancy in Respondent's address and the lack of legal briefing, the Court finds that Petitioners have not adequately demonstrated entitlement to relief. Based on the foregoing, and for other good cause shown,

IT IS, on this 15th day of December 2022, **ORDERED** as follows:

1. Petitioners' Motion to Confirm Arbitration Award (ECF No. 2) is **DENIED** without prejudice.
2. Petitioners may file a Certification that accounts for the discrepancy in Respondent's address by **January 17, 2023**. Alternatively, Petitioners may file a renewed Motion by **January 17, 2023**, with appropriate supporting documentation and a supporting brief.²



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

² Petitioners' Certification or renewed motion must also include proof of service with Respondent's correct address.